



National Aeronautics and
Space Administration
Washington, DC 20546

Procurement Notice

PN 04-75
April 15, 2013

USE OF THE ENTERPRISE LICENSE MANAGEMENT TEAM (ELMT) PROGRAM

PURPOSE: To require consideration of the Enterprise License Management Team (ELMT) participation in the acquisition of software licenses.

BACKGROUND: The ELMT Program was established on April 1, 2008 at the NASA Shared Services Center (NSSC) to provide support for the discovery, analysis, establishment, and management of Agency enterprise licensing. The ELMT works to consolidate software license contracts resulting in reduced administrative costs and best value pricing solutions. The ELMT maintains licensing and contract consolidation initiatives activities for NASA and negotiates Economy of Scale pricing for selected software. In September 2012, the Office of the Assistant Administrator for Procurement in partnership with the Office of the Chief Information Officer committed to achieving savings, increasing efficiency and managing procurement and provisioning of software licenses and associated maintenance by leveraging the support services of the ELMT Program.

ELMT services include:

- Business Case analysis for potential transitions to an Enterprise Agreement (e.g., Enterprise License Agreement, Blanket Purchase Agreement, or consolidated Agency-wide contract)
- Establishment of new Agreements with Software Original Equipment Manufacturers (OEM) and/or Value Added Resellers (VAR)
- Management of Agreements to include:
 1. Establish ELMT administrative infrastructure
 2. Process request for transfer of available license from the pool of available licenses to a Center
 3. Support the procurement of additional licenses
 4. Perform periodic software license validation audits
 5. Reconcile vendor maintenance invoices and payment coordination
 6. Facilitate license "True-Up" activities prior to renewals or exercising of options
- Tracking licenses that have been phased-out in lieu of participation in an Agreement, but are still Agency-owned and available to be re-utilized by other NASA Centers

On August 8, 2011, the White House Office of Management and Budget (OMB) issued memorandum M-11-29, Chief Information Officer Authorities, stating that Chief Information Officers "shall pool their agency's purchasing power across their entire organization to drive down costs and improve service for commodity IT." Furthermore, Executive Order 13589

“Promoting Efficient Spending” prescribes, in Section 4, how agencies should assess current device inventories and usage and establish controls to ensure that they are not paying for unused or underutilized information technology (IT) equipment, installed software or services. To promote further efficiencies in IT, OMB also issued memorandum M-12-12 on May 11, 2012, Promoting Efficient Spending to Support Agency Operations. Agency Heads have the responsibility to act as a careful steward of taxpayers’ dollars to ensure that Federal funds are used for purposes that are appropriate, cost effective and important to the core mission of executive departments and agencies.

Leveraging the services of the ELMT will reduce costs and improve efficiencies. This policy affords the Agency the opportunity to take advantage of the benefits associated with the ELMT program such as:

- Reduced software costs (initial purchases and maintenance)
- Consideration of Small Business socio-economic requirements
- Reduced procurement activities and subsequent cost
- Increased Agency access to vendor software suites, packages and add-ons
- Establishment of common software versions and configurations throughout the Agency
- Promotion of efficient utilization of software applications
- Increased potential for Agency License reutilization
- Providing Asset Inventory Tracking and Reporting
- Centralized License Compliance and Audit Support
- Providing Budget and Procurement Planning Support

ACTIONS REQUIRED BY CONTRACTING OFFICERS: This requirement is applicable to all software license procurement actions issued on or after the effective date of this PN.

ACQUISITIONS AFFECTED BY CHANGES: All Contracting Officers (COs), in partnership with the Center Chief Information Officers and other center stakeholders (e.g., Programs, Project leads and requiring offices), are encouraged to take practical steps to improve operations, increase efficiency, and cut unnecessary spending through use of the services of the ELMT. At a minimum, COs shall comply with the requirement at NASA FAR Supplement (NFS) Subpart 1807.70.

CLAUSES CHANGES: None

PARTS AFFECTED: Part 1807.

EFFECTIVE DATE: This PN is effective as dated and shall remain in effect until canceled or superseded.

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Enclosures

PART 1807

ACQUISITION PLANNING

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PART 1807

ACQUISITION PLANNING

Subpart 1807.1--Acquisition Plans

1807.103 Agency-head responsibilities.

(d)(i) Except as provided in paragraph (d)(iii) of this section, acquisition plans shall be prepared according to the following:

(A) For acquisitions requiring Headquarters approval, by an Procurement Strategy Meeting (PSM) (see 1807.170);

(B) For acquisitions not requiring Headquarters approval and expected to exceed \$10 million, by installation-approved PSMs or written acquisition plans; and,

(C) For acquisitions not expected to exceed \$10 million, in accordance with installation procedures.

(ii) The estimated dollar amounts shall include all options and later phases of the same program or project.

(iii) Acquisition plans are not required for the following acquisitions:

(A) Architect-engineering services;

(B) Broad agency announcements (see 1835.016) or unsolicited proposals;

(C) Basic research from nonprofit organizations;

(D) Utility services available from only one source;

(E) From or through other Government agencies except when the value of the acquisition meets the Master Buy Plan threshold (see 1807.7101); or

(F) Industrial facilities required in support of related contracts.

(iv) Acquisition plans shall be approved before soliciting proposals.

(v) Approval of an acquisition plan does not constitute approval of any special conditions, or special clauses that may be required unless the plan so specifies, and the individual having approval authority is a signatory of the plan. All required deviations shall be approved through the procedures described in [FAR 1.4](#) and [1801.4](#).

(vi) A single acquisition plan may be used for all phases of a phased acquisition provided the plan fully addresses each phase, and no significant changes occur after plan approval to invalidate the description of the phases. If such significant changes do occur, the plan shall be amended and approved at the same level as the original plan.

(e) Acquisition plans should be prepared on a program or system basis when practical. In such cases, the plan should fully address all component acquisitions of the program or system.

1807.104 General procedures.

(a) The acquisition planning team shall obtain input from the center offices responsible for matters of safety and mission assurance, occupational health, environmental protection, information technology, export control, and security to ensure that all NASA acquisitions are structured in accordance with NASA policy in these areas. As part of this process, the team shall recommend any appropriate solicitation or contract requirements for implementation of safety, occupational health, environmental, information technology, export control, and security concerns. (See NPR 8715.3, NASA Safety Manual; NPR 7120.5, NASA Program and Project Management Processes and Requirements; NPR 2810.1, Security of Information Technology, and NPR 1600.1, Security Program Procedural Requirements, all available at <http://nodis3.gsfc.nasa.gov/>).

1807.105 Contents of written acquisition plans.

Acquisition plans shall address each applicable topic listed in [FAR 7.105](#), as supplemented by this section. Plans shall be structured by subject heading using each italicized topic heading in the same sequence as presented in the FAR. Subheadings should be used when appropriate (e.g., the separate items under contracting considerations at 7.105(b)(4)). Topics not applicable to a given acquisition (e.g., design-to-cost and should-cost are not compatible with service acquisitions), should be marked N/A. The requirements in FAR 7.105 regarding performance-based acquisition methods shall not be limited to acquisition plans for service contracts.

(a)(1) Describe in nontechnical terms the supplies or services to be acquired. Include quantities.

(a)(2) [NPR 7120.5](#) shall be an integral part of acquisition planning for programs and projects subject to its requirements. If the NPR does not apply, the acquisition plan shall clearly state that fact. If the NPR does apply, specify whether all required NPR 7120.5 documentation is current and approved. If not, describe the approach for obtaining approval or the authority to proceed without approval before release of draft or final solicitations. For programs and projects under the NPR, all draft or final solicitations subject to, or directly or substantially in support of, those programs or projects shall clearly identify the program or project of which they are part.

(a)(3) Identify the estimated cost and describe the estimating methodology.

(a)(5) Specify the delivery or performance period requirements separately by the basic contract, each option, and the total. Provide supporting rationale, which describes the relationship between the technical requirements and the proposed period of performance, including the basis for the decision regarding duration and the appropriateness of the inclusion of options.

(a)(7) Discuss project/program risks (see [NPR 7120.5](#), NASA Program and Project Management Processes and Requirements). In addition to technical, schedule, and cost risks, the discussion shall include such considerations as: safety and security (including personnel, information technology, and facilities/property); the need to involve foreign sources (contractor and/or governmental), and risks of unauthorized technology transfer (see [NPD 2110.1E](#) and Export Control Program (<http://www.hq.nasa.gov/office/oer/nasaecp/Welcome.html>)); and resource risk, including the necessary level and expertise of NASA personnel resources available to manage the project/program. For each area of risk identified, the discussion shall include a quantification of the relative magnitude (e.g., high, medium, low) together with the specific actions taken to structure the acquisition approach to manage the risks throughout the acquisition process. For example, this discussion would identify those areas that have safety risk, discuss how safety is addressed in contract requirements and evaluated in the source selection, and how it will be managed and incentivized during contract performance. Decisions to accept, mitigate, track, and/or research risk factors shall be identified and documented as part of acquisition planning.

(a)(8) Streamlining applies to all NASA acquisitions. Describe all planned streamlining procedures.

(b)(3) Discuss the source selection approach (trade-off, lowest price technically acceptable, combination of approaches) and the rating method (numerical scoring, acceptable/unacceptable, adjectival) to be used, how it will be used and why it is expected to result in the selection of the best value to NASA. Address how cost realism will be evaluated.

(b)(4)(A) If an incentive contract is planned, describe the planned incentive(s) and the anticipated effects.

(B) Describe subcontracting issues, including all applicable subcontracting goals. (See [FAR Part 19](#) and Part 1819).

(b)(5)(A) Identify the estimated cost separately by the basic contract, each option and total amount.

(B) Identify the funding by fiscal year and NASA Structure Management project number.

(C) Discuss planned approaches to eliminate funding shortfalls (vs. the estimated cost).

(b)(6) Identify the type of work statement/specification planned. Specifically address the applicability of performance work statements and the availability of commercial sources for the supplies/services.

(b)(10) Address contract management issues, including --

(A) Planned delegations of administrative functions; and

(B) When contract changes are anticipated, the plan to manage such changes and the specific measures that will be taken to minimize the issuance of undefinitized contract actions.

(b)(20) If the period between release of solicitation to contract award is more than 120 calendar days (180 days for formal SEB competitions), explain why that goal cannot be met.

1807.107 Additional requirements for acquisitions involving bundling.

(c) Requests for approval of proposed bundlings that do not meet the thresholds in [FAR 7.107\(b\)](#) must be sent to the Headquarters Office of Procurement (Code HS).

(e) The substantial bundling documentation requirements applies to each proposed NASA bundling expected to exceed \$5 million or more. The contracting officer must forward the documentation along with the measurable benefits analysis required by FAR 7.107(b) to the Headquarters Office of Procurement (Code HS) in sufficient time to allow a minimum of 10 days for review.

1807.107-70 Orders against Federal Supply Schedule contracts or other indefinite-delivery contracts awarded by another agency.

The FAR and NFS requirements for justification, review, and approval of bundling of contract requirements also apply to an order from a Federal Supply Schedule contract or other indefinite-delivery contract awarded by another agency if the requirements consolidated under the order meet the definition of "bundling" at [FAR 2.101](#).

1807.170 Procurement Strategy Meeting (PSM).

(a) The PSM is an acquisition plan conducted through a meeting attended by all interested NASA offices. The online Guide for Successful Headquarters Procurement Strategy Meetings (PSMs) can be found at the following URL: <http://prod.nais.nasa.gov/portals/pl/documents/PSMs.html>. At the meeting, the acquisition plan topics and structure specified in 1807.105 are presented in briefing format, and formal written minutes prepared to summarize the decisions, actions, and conclusions of the PSM members. The approved minutes, along with the briefing charts, shall be included in the contract file to document completion of the acquisition plan required by 1807.103.

(b) The PSM is not a requirements definition meeting. It is a meeting to seek approval for the proposed acquisition approach for requirements that were previously defined and agreed to by the cognizant offices.

(c) Headquarters PSMs will be chaired by the Assistant Administrator for Procurement or designee. The Headquarters Office of Procurement (Program Operations Division) will prepare the minutes of Headquarters PSMs and distribute them to all attendees for review prior to approval by the PSM chairperson.

(d) For field installation PSMs, the minutes shall be approved in accordance with installation procedures.

Subpart 1807.2--Planning for the Purchase of Supplies in Economic Quantities

1807.204 Responsibilities of contracting officers.

(a) The contracting officer shall transmit in writing to the cognizant inventory management/requirements office either the actual offeror responses or a summary of their salient points. The transmittal should be made within five working days after the closing date for receipt of offers; however, if a response indicates the potential for a significant savings, it should be transmitted immediately.

Subpart 1807.5--Inherently Governmental Functions

1807.503 Policy.

(e) The field installation requirements office shall provide the contracting officer the written determination that none of the statement of work tasks are inherently governmental. Disagreements regarding the determination shall be resolved in accordance with installation procedures.

Subpart 1807.70-- Enterprise License Management Team (ELMT) Program

1807.7000 Policy.

Contracting officers shall make maximum practical use of the ELMT Program which establishes enterprise software license agreements that allow NASA to obtain favorable terms and pricing for commercial software.

1807.7001 Applicability.

Contracting Officers, in coordination with the Center CIO, shall determine whether existing or planned ELMT license agreements can fulfill a software requirement before entering into a new contract or consenting to a subcontract for those software requirements. A listing of the ELMT enterprise license agreements, consolidated contracts and programs can be found at <http://www.nssc.nasa.gov/elmt>.

1807.7002 Purchase request.

After requirements are determined, the requesting official shall review the information at the ELMT website to determine if the required commercial software or related services are available. Use of the ELMT should be considered during acquisition planning or when exercising options under existing contracts that provide software or software maintenance. Prior to sending a purchase request to the Contracting Officer, the requiring office should coordinate with the ELMT. The ELMT is available to assist in preparing requirements and supporting documentation and in obtaining appropriate approvals.

1807.7003 File documentation.

The Contracting Officer shall document the contract file to indicate the coordination with the ELMT. Requesting offices are required to provide the documentation with the purchase request. Contracting Officers receiving purchase requests that have not been coordinated with the ELMT should obtain justification from the requesting office explaining why the ELMT coordination was not performed to fulfill their software requirement. The supporting rationale must provide an explanation of how the procurement will achieve each benefit that could have been obtained through the ELMT. An information copy of the justification shall be provided to the ELMT program at NSSCELMT@mail.nasa.gov prior to award.

1807.7004 Advance planning.

Procurement Officers and Chief Information Officers should jointly consider submitting a comprehensive portfolio request to the ELMT for any software not currently being procured via the ELMT for future business case consideration. Centers should identify a point of contact to interface with the ELMT regarding the portfolio request.

Subpart 1807.71--Master Buy Plan

1807.7100 Policy.

The Master Buy Plan (MBP) provides information on planned acquisitions to enable management to focus its attention on a representative selection of high-dollar-value and otherwise sensitive acquisitions. Master Buy Plan submissions are tracked and managed through an Internet-based tool known as the Master Buy Plan Database (MBPD) (<https://smith.hq.nasa.gov/mbpbpr/login/>). MBPD data is used to support other Agency planning activities, including the monthly Baseline Performance Review (BPR).

1807.7101 Applicability.

(a) The Master Buy Plan applies to:

(1) All acquisitions, including supplemental agreements, letter contracts, undefinitized contract actions, Announcements of Opportunity, and acquisitions through or from other Government agencies, where the dollar value, including the aggregate amount of options, follow-on acquisitions, or later phases of multi-phase acquisitions, is expected to equal or exceed \$50,000,000.

(2) Supplemental agreements containing new work, a debit change order, or a credit change order, or any combination/ consolidation thereof, if the absolute value of the actions equals or exceeds \$50,000,000 (e.g., the absolute value of a supplemental agreement adding \$30,000,000 of new work and deleting \$30,000,000 of work is \$60,000,000, and is therefore subject to the Master Buy Plan).

(3) All new Exploration Systems Mission Directorate (ESMD) and/or Space Operations Mission Directorate (SOMD) acquisitions for space flight hardware or human space flight systems development, production, or processing, excluding supplemental agreements, where the total value is expected to exceed \$10,000,000. All other new requirements, such as general support services, funded by either ESMD or SOMD, will be subject to the same \$50,000,000 threshold discussed in paragraph (1) of this section..

(4) Any supplemental agreement that contains one or more elements (new work and/or individual change orders) of a sensitive nature that, in the judgment of the installation or Headquarters, warrants Headquarters consideration under the Master Buy Plan, even though the value does not equal or exceed \$50,000,000.

(5) Any cooperative agreement notice where the total value (the Government's contribution plus the contribution of the recipient) of any resulting cooperative agreement is expected to equal or exceed \$50,000,000.

(6) Any acquisition regardless of its dollar amount that is considered to be of significant interest to Headquarters or has agency public information implications. The CO shall contact the NASA Headquarters Office of Procurement, Program Operations Division to discuss possible inclusion of such an action in the Master Buy Plan.

(7) The Master Buy Plan does not apply to incremental funding actions or termination settlement agreements.

1807.7102 Submission, selection, and notification procedures.

1807.7102-1 Submission of Master Buy Plan Records.

(a) Each installation shall submit to the NASA Headquarters Office of Procurement, Program Operations Division, a Master Buy Plan record in the MBPD for every known acquisition that meets the criteria in [1807.7101](#). The MBPD is a living database and should be updated continually to identify upcoming acquisitions.

(b) If the reporting criteria in 1807.7101 does not result in identification of at least three actions, each NASA Center shall supplement its submission so that its three largest acquisitions, regardless of dollar value, are included for review and coordination by NASA Headquarters, Program Operations Division, as soon as the requirements become known. If, by January 30th of

each fiscal year, an installation has not submitted at least three acquisitions based on the criteria described in 1807.7101, the installation must submit its largest acquisitions, regardless of their value, so that the MBPD contains at least three acquisitions per Center or installation.

(c) Installations are required to maintain current status information for all MBP records until the award data is entered into the MBPD.

(d) MBP records shall be prepared in accordance with the MBPD Guidebook at <http://prod.nais.nasa.gov/portals/pl/documents/masterbuyplan.pdf>.

1807.7102-2 Selection and notification procedures.

(a) The Headquarters Office of Procurement, Program Operations Division, shall review acquisitions submitted through the MBPD to determine which procurement actions will be delegated, i.e. remain at the Center or installation for review and approval, and which will be selected for Headquarters review and approval. The Program Operations Division analyst will coordinate selection decisions with the appropriate Headquarters Mission Directorate(s). Decisions regarding the level of review required for each MBP record will be designated on the "Pre-Award Milestones" screen of the MBPD by the Program Operations Division analyst. The possible reviews/approvals that can be assigned for each milestone action are defined below:

(1) "**Select**" means NASA Headquarters has chosen this acquisition milestone for HQ review and approval.

(2) "**Delegate**" means NASA Headquarters determined no further HQ oversight of an acquisition milestone is required.

(3) "**Concur**" means NASA Headquarters has chosen this acquisition milestone for review prior to completion of the action.

(4) "**Info Copy**" means NASA Headquarters requests a copy of this acquisition milestone documentation prior to completion of the milestone.

(5) "**TBD**" "to be determined" means no NASA Headquarters decision has been made regarding the required level of Headquarters review for this acquisition milestone.

(6) "**N/A**" "not applicable" means this acquisition milestone does not apply to this acquisition.

(b) When, subsequent to selection or delegation, an acquisition is changed (e.g. there is an increase or decrease in dollar amount, a change in requirement, a change in milestone schedule, it is canceled, superseded, deferred, or becomes no longer subject to the Master Buy Plan procedures in accordance with the criteria in [1807.7101](#)), the installation shall update the MBPD to notify the Program Operations Division of the change. The Program Operations Division analyst shall work with the installation's procurement office to determine if any further action may be required. The Program Operations Division analyst will document the conclusion in writing to the CO.

(c) All acquisitions subject to MBP procedures, whether selected for Headquarters review or not, may be subject to after-the-fact reviews by Headquarters during normal procurement management reviews or other special reviews. Delegated MBP actions may subsequently be rescinded if a Headquarters review is deemed appropriate.

1807.7103 Format of Master Buy Plan.

(a) In accordance with the requirements of 1807.7102-1 and 1807.7102-2, installations must prepare Master Buy Plans and amendments to Master Buy Plans in accordance with the Master Buy Plan Database (MBPD) instructions at <http://www.hq.nasa.gov/office/procurement/regs/Table1807.doc> and submit them in accordance with the MBPD User Manual Instructions listed at <http://ec.msfc.nasa.gov/hq/library/masterbuyplan.pdf>.

(b) For those acquisitions subject to the MBP pursuant to 1807.7101(c)(4), installations must include the following information in the MBP Record Fields:

HQ Funding Org: "HSFTP"

Status Schedule: SOMD Funded_____ percent; ESMD Funded_____percent

Status Schedule: HCA Authority Recommendation: ESMD, SOMD or Center

In coordination with the Mission Directorates and the cognizant Center, the HCA authority for the new procurement will be determined and recorded in the MBP database by the Office of Procurement.

Subpart 1807.72--Acquisition Forecasting

1807.7200 Policy.

(a) As required by the Business Opportunity Development Reform Act of 1988, it is NASA policy to –

(1) Prepare an annual forecast and semiannual update of expected contract opportunities or classes of contract opportunities for each fiscal year;

(2) Include in the forecast contract opportunities that small business concerns, including those owned and controlled by socially and economically disadvantaged individuals, may be capable of performing; and

(3) Make available such forecasts to the public.

(b) The annual forecast and semiannual update are available on the NASA Acquisition Internet Service (<http://www.hq.nasa.gov/office/procurement/>).

1807.7201 Definitions.

"**Class of contracts**" means a grouping of acquisitions, either by dollar value or by the nature of supplies and services to be acquired.

"**Contract opportunity**" means planned new contract awards exceeding \$25,000.

1807.7202 Responsibilities.

(a) NASA Procurement Officers shall post the data required by 1807.7203 directly to the NASA Acquisition Internet Service not later than October 1 for the annual forecast and April 15 for the semiannual update.

(b) The Program Operations Division will manage policy and monitor compliance with the NASA Acquisition Forecast process.

1807.7203 Forecast data.

(a) The annual forecast shall contain --

(1) Summary historical data (based on information provided by the Headquarters Office of Procurement (Analysis Division and Program Operations Division) on the class of contract opportunities below the simplified acquisition threshold;

(2) Identification of all known contract opportunities in excess of the simplified acquisition threshold. Each such action should be identified as one of the three broad categories of acquisition -- Research and Development, Services, or Supplies and Equipment and shall include the following information:

(i) A brief description not to exceed ten typed lines;

- (ii) Approximate dollar value within the following dollar ranges: \$100,000 to \$1,000,000; \$1,000,000 to \$5,000,000; and over \$5,000,000;
 - (iii) Anticipated time (by fiscal year quarter) for the issuance of the solicitation;
 - (iv) Identification if it is reserved for performance by small business concerns including those owned and controlled by socially and economically disadvantaged individuals;
 - (v) Identification as competitive or noncompetitive; and
 - (vi) Identification and telephone number of a center point of contact.
- (b) The semiannual report shall be an update of the data provided by the annual forecast. This update should provide information on new requirements not previously reported and on changes in data related to actions previously identified.